



MEMORANDUM

TO: Mayor and Council

FROM: Spencer Cronk, City Manager

DATE: March 3, 2021

SUBJECT: Initial Response to City Council Resolution No. 20210225-006

This purpose of this memo is to provide an initial response to City Council Resolution No. [20210225-006](#), relating to evaluating and mitigating the effects of the recent weather emergency on city residents, including their City of Austin (COA) utility bills. Please see the attached Executive Summary which describes actions taken during the Winter Storm as well as ongoing efforts.

As this remains an active emergency, the information provided in this response will focus on current efforts underway to help our community recover from this storm event and provide an overview of efforts that will be included in an After-Action Report. After the functions for this Emergency Operations Center activation are concluded, all City departments will participate in and perform a comprehensive After-Action Review which will include assessments of resident communications, preparation for winter weather, emergency response activities, as well as a technical review of engineering and operational data. An After-Action Report follows the After-Action Review and provides a situational overview, summarizes findings, and identifies areas for improvements, including an improvement plan with timelines.

As part of the After-Action Review, I and City staff are committed to engaging with stakeholders, including Council, relevant boards and commissions, the numerous organizations that assisted with recovery efforts, and others to identify additional opportunities for improvement. In addition to the components listed above, the After-Action Review will also include:

- Incident debrief interviews of key staff and community organizations;
- Populations most deeply affected by the incident;
- Consolidated learnings and recommendations;
- Identification of any need for resources and next steps;
- Comprehensive reviews from various COA departments; and
- Prototype response measures to ensure performance during a disaster.

As appropriate, information gained through this process will be incorporated into the City's comprehensive equity and resilience planning process and strategy.

While this remains an active emergency, and until we have begun to demobilize, we encourage individuals to continue calling 3-1-1 for more information about this emergency or visit the City's comprehensive Cold Weather Emergency Resources webpage at austintexas.gov/weatherinfo.

Framing the Context of the Winter Storm

The February 13-17, 2021 North American Winter Storm (also referred to as Winter Storm Uri) broke many long-standing weather-related records across the United States. There were lives lost during the Winter Storm, lives which were put in peril, and physical damage inflicted upon public and private infrastructure. Basic utilities, such as electricity, water, and gas, which are used to sustain our community were not available for many days, and to this day there are water outages. Unlike the majority other natural disasters, the Winter Storm impacted hundreds of millions of people during the relatively same short time period. At the same time, our City employees and their families, who typically provide aid during natural disasters were impacted themselves. Nonetheless, countless City employees endured their own personal struggles to aid our community during, and at the height of, the Winter Storm. Numerous City employees worked ceaselessly during and following the Winter Storm in many capacities, ranging from roadway safety, to shelters, to restoring utility services. In the coming weeks, there will be a collection of many stories of City employees who served their public servant role valiantly and with pride. And, as you will read in the following Executive Summary, those same employees will gather to share their collective knowledge so that we can learn from this Winter Storm in order to continuously improve upon how we serve our community.

Next Steps

Once the 2021 February Winter Storm Event can officially deactivate, HSEM will initiate the After-Action Review process.

If you have any questions regarding the information included in this memo, please contact myself or Jason Alexander at jason.alexander@austintexas.gov or 512-974-2306.

cc: City Manager Executive Team
Department Directors

Executive Summary: Initial Response to Resolution No. 20210225-006

The following actions have been completed or are underway in response to the Winter Storm:

- 1. Austin Public Health (APH) immediately implemented a plan and secured resources to lead to long-term housing stability and resiliency for people experiencing homelessness that were impacted by the recent disaster, especially for those that left the streets and received shelter or hotel accommodations.**

While supporting sites sheltering over 750 people experiencing homelessness, APH's Homeless Services Division (HSD) worked with community partners to promote exits into more stable living environments. Immediate placements were made into hotels (ProLodges), respite care centers, board and care homes, and sober living environments. Diversion funds were deployed to help individuals reconnect with family or other natural supports. In order to facilitate eventual placement in rapid rehousing or permanent supportive housing, Coordinated Assessments were completed for approximately 50 individuals, and Integral Care connected with new and existing clients for ongoing case management.

The HSD will continue to work with individuals placed by community groups into hotels. While relatively few individuals remain in hotels, HSD plans to coordinate with Survive2Thrive to provide ProLodge eligibility screening, Coordinated Assessment access, and behavioral health resources. HSD will also be participating in After-Action Review meetings for improved emergency planning going forward.

- 2. Austin Water (AW) has modified the wastewater averaging period for 2021.**

Austin Water (AW) recognizes the importance of ensuring that wastewater averages were not distorted by water leakage during the Winter Storm. Wastewater averaging for most customers will be calculated using estimated consumption that is typical for the month of February. All wastewater averaging will be reviewed to ensure AW customers are not unfairly penalized for water usage during the Winter Storm.

- 3. Austin Water (AW) has implemented an immediate and comprehensive plan for mitigating the spike in water bills residents may see due to water leaks.**

- Bills generated through March 18th will be based on estimated water usage that is typical for the customer's account.
- Bills generated between March 19th and April 26th will be based on actual meter readings for February through March, but at deeply discounted volume rates for residential water usage above 6,000 gallons and at reduced fixed charges.
- Under the proposed temporary rate of one cent (\$0.01) per 1,000 gallons in Tiers 3-5, the average customer who experienced a major leak of 100,000 gallons would be charged only \$1 for the excess water.
- AW will review actual meter reads during the estimated usage billing period to proactively apply leak adjustments to multi-family and commercial customers with excess consumption in March and April bills.
- AW will work with customers who believe their February usage was estimated too high or submit water leak bill adjustment requests due to the winter storm.

4. Homeland Security and Emergency Management (HSEM) and Austin Water are working collaboratively with multiple departments and organizations to support apartment complexes experiencing prolonged water outages, while the Housing and Planning Department (HPD) are providing resources to support tenants.

Homeland Security and Emergency Management (HSEM) is working with AW, Austin Code, 3-1-1, Equity Office, the Housing and Planning Department (HPD), Sustainability, Watershed Protection, Community Resilience Trust, local nonprofits, and other community groups to provide both bottled and bulk water delivery to apartment complexes.

Based on data culled from various sources including Building and Strengthening Tenant Action (BASTA), Council offices, AW, 3-1-1, Austin Code, and other sources, City staff established a master list of multifamily properties who do not have running water. Because data was compiled across an approximately two-to-three-week time period by various organizations, the information was inconsistent and required confirmation via on-site inspection or calling listed contacts. The Equity Office and Resilience Officer are working closely with AW to map the need for water using the social vulnerability index, tracking multifamily complexes within these areas, calling to determine water and infrastructure status, and following up as needed with resources. Austin Code is performing site inspections to validate property issues and connect with property owners/managers on-site to provide resources that will help expedite plumbing repairs. Additionally, City departments are working with Plumbers Without Borders and Water Mission to bring plumbing assistance to property owners/managers in order to restore water service to their tenants. In order to access plumbing assistance from these organizations, individual property owners and multifamily property owners/managers can call the Crisis Clean Up Hotline via [Austin Disaster Relief Network](#) (ADRN) at 1-800-329-8052.

In order to support tenants, HPD has prioritized tenant stabilization services and most recently reinforced these investments under the Displacement Prevention program area. Program partnerships include contracts with Austin Tenants Council, Texas Rio Grande Legal Aid, and El Buen Samaritano. Contracts specific to emergency needs of tenants were initiated with the nonprofit agencies to provide an array of services for low-income tenants during the COVID-19 crisis.

Not unlike the destabilizing consequences of the pandemic, the impacts of the Winter Storm demand increased housing stability services for low-income renters. These include but are not limited to emergency tenant landlord mediation, legal services, and rent and utility assistance. HPD staff is evaluating each of its contracts and will work with respective agencies to assess whether there is an ability to modify contract scopes to include households impacted by the Winter Storm.

HPD is also assessing how many additional households can be served under amended contract terms, with the objective to modify the scope of emergency response to include not only households impacted by the pandemic, but also the Winter Storm. Agencies that can modify their services to serve households impacted by the Winter Storm will be added to the City's Cold Weather Emergency Resources webpage, austintexas.gov/weatherinfo, under additional resources as well as the Austin Emergency Repairs webpage, austintexas.gov/atxrepairs. Both pages are also available in Spanish.

5. The City of Austin has created a one stop shop for all recovery resources, including the Federal Emergency Management Agency (FEMA) and the Development Services Department (DSD) services and related resources.

City department staff established a Cold Weather Emergency Resources webpage available in English at austintexas.gov/weatherinfo and in Spanish at austintexas.gov/infoclimatica. Both pages have been active since the beginning of the incident and serve as a comprehensive resource for all residents and businesses.

Additionally, on February 24, 2021, a new website was launched (also linked on the Weather Info page) in order to support residents and business owners whose properties were damaged due to the Winter Storm. Residents and businesses can utilize austintexas.gov/atxrepairs to find information about plumbers, electricians, and other contractors; code compliance and service requests; DSD's Emergency Permitting Process; homeowner's funding assistance; tenant resources; and federal and local assistance programs.

6. The Housing and Planning Department (HPD) has implemented a plan to address short-term housing needs for those displaced due to housing damage and repairs process.

HPD has identified \$1 million in the Housing Trust Fund (HTF) to deliver short-term housing needs for low- to moderate-income tenants displaced from their residences due to severe storm damage.

HPD staff plans to contract with a nonprofit partner to provide direct financial assistance to low-income residents whose housing was impacted temporarily or long-term by the Winter Storm. This direct financial assistance model has been successful in the Relief in a State of Emergency (RISE) program to stabilize residents in need of short-term housing options. As required staff will bring an emergency contract ratification for City Council action soon in support of this initiative.

Residents can qualify for up to \$1,000 to be paid directly to each eligible household. This financial assistance will allow families to access hotel accommodations or other temporary accommodations if needed. Funding may also be used to replace essential household items necessary for safe and decent housing and for relocation purposes to include deposits, rent, utility payments, which can provide residents with flexibility to explore options for a more stable housing solution.

Once the contract is finalized, information about the program will be added to the City's [Cold Weather Emergency Resources webpage](#) under additional resources.

7. Austin Housing Finance Corporation (AHFC) will administer home repair funding and resources.

In response to the Winter Storm, the AHFC, which is comprised of HPD staff, launched an Emergency Home Repair initiative on March 1st in order to financially assist with damage to Austinites' homes. A [memo](#) was sent to Mayor and Council on February 25th which provided information about the initiative. AHFC will administer this focused effort, which will be funded through a variety of public and private sources, including Austin Water, General Obligation Bonds, and a grant from Bank of America, which will help support efforts underway. Seven experienced, local non-profit organizations that currently administer the General Obligation Bond funded home repair program (GO Repair!) are resourced in order to carry out approved repairs. Up to \$10,000 in funding will be provided directly to the non-profit after all approved work has been completed as agreed upon by the non-profit staff, the homeowner, and the contractor.

Eligible participants include homeowners within the City of Austin's full purpose jurisdiction, with household incomes at or below 80% Median Family Income (MFI). Participants must have experienced damage(s) to their primary residence as a result of the February 2021 Texas Severe Winter Storm, causing harm to the life, health, or safety of the occupants. Participants cannot receive duplicate benefits through FEMA or insurance proceeds.

More information to include eligibility requirements and eligible repairs is available directly at <http://www.austintexas.gov/HomeRepairs> and can be also be linked from the [City's Cold Weather Info Page](#) under "Emergency Repair Resources" and the [Austin Emergency Repairs](#) page under "Homeowners Assistance."

8. Homeland Security and Emergency Management (HSEM) has taken the lead to identify how to address any gaps in FEMA individual assistance resources.

HSEM is working closely with Hagerty Consulting, as well as other relevant departments and community organizations, to conduct scoping of additional needs, and to identify and begin securing further resources for individual assistance. This has been initiated and is projected to be completed within thirty days.

9. In partnership with the Law Department, Telecommunications and Regulatory Affairs (TARA) has identified potential next steps that fall within the City's regulatory authority in order to help mitigate the bill impacts of non-city owned utilities.

Companies providing natural gas, electricity, and water to Austin residents are subject to regulatory jurisdiction of the City. The Texas Utilities Code grants municipalities exclusive original jurisdiction over the rates, operations, and services of each utility operating within the municipality. The City's regulatory authority over electric co-ops, on the other hand, is prohibited, except with respect to operations, to the extent necessary to protect the public health, safety, or welfare. Water and sewer utilities providing retail utilities to Austin residents are subject to the City's regulatory authority as set out in the [Texas Water Code \(Chapter 13, Subchapter D\)](#).

While state law is clear on municipal authority to regulate utility rates through review, investigation, and the power to adopt, suspend, deny, or impose its own rates, statutory provisions regarding other regulatory authority outside of a rate case - over utility operations and services - is less established. In addition, municipal rate proceedings benefit from state law that allows municipalities to recoup rate case expenses from the regulated utility. Municipal expenses regulating matters unrelated to rate proceedings are not allowed to be reimbursed by the utilities.

Austin exercises its authority over rates every time a regulated utility files for a rate increase and, at the conclusion, obtains reimbursement from the regulated utility for its rate case expenses. Accordingly, utility customers of the regulated utilities currently pay the rates and charges in accordance with their tariffs most recently approved and found to be just and reasonable by the City Council.

The City of Austin could initiate a rate case in order to determine whether the rates charges by a utility are just and reasonable. The City of Austin could initiate examination of utility operations and services. With any regulatory proceeding, the process starts through discovery in the form of filing

notice and requests for information with the respective utility. Responses to information requests, follow up requests and responses, and further investigation and review of the information would allow City staff to be able to determine if any further action is warranted to ensure the utility was providing fair, just, and reasonable rates and adequate and efficient services.

Austin oversees and manages its regulatory oversight through the Telecommunications and Regulatory Affairs Office (TARA). TARA has initiated information requests to the regulated utilities for information on how their customers will be impacted by weather related costs and has identified several steps to help mitigate future bill impacts of non-City owned utilities, including the following:

- Making electric and natural gas distribution companies, or franchisees, aware of the Council resolution;
- Obtaining customer assistance program information from each company;
- Monitoring state agencies, including the Public Utility Commission and Railroad Commission and legislative proceedings that may provide customer financial assistance to mitigate impact of high electric and/or gas bills resulting from the Winter Storm; and
- Researching other available customer assistance program funding and raise awareness working across community organizations.

Once TARA receives responses to its requests for information, staff can then determine if any further action is warranted in order to ensure the respective utility was providing fair, just, and reasonable rates and adequate and efficient services. In instances where action is warranted, TARA will provide a report of its findings and what form of further regulatory action it recommends. TARA has already received communication from the Texas Gas Service in response to concerns about utility bill impacts and is assessing the information.

10. Intergovernmental Relations Office (IGRO) is advocating at the state and federal levels for disaster relief resources and steps to avoid future disaster events to the extent possible.

IGRO added the following language to the State and Federal Agendas to advocate for disaster relief resources and take steps toward mitigating future disaster events:

- In the State Agenda, in the “87th Legislature Priorities Affecting Cities” section:
 - “Support legislation and funding to effectively mitigate, prepare for, respond to, and recover from emergencies and disasters, including public health disasters, flooding, wildfires, and extreme weather events.”
- In the Federal Agenda, in the “General Statement of City Legislative Focus” section under “The City of Austin supports policies, legislation, and regulatory actions that:”
 - “Provide support and funding to effectively mitigate, prepare for, respond to, and recover from emergencies and disasters, including public health disasters, flooding, wildfires, and extreme weather events.”

Throughout the disaster event, IGRO maintained regular communications to update and inform the Austin delegation on the impact and needs of the City, responded to the delegation’s constituent requests for those impacted by the event, worked with the federal and state lobby teams to advocated for resources, and coordinated testimony before legislative committees related to the Winter Storm.

- 11. Austin Water (AW) is coordinating a centralized list of places without water in Austin and Travis County. 3-1-1 will serve as the central help line to address prolonged water outages, and the information is being publicized across multiple languages in order to support tenants and homeowners alike. AW has also published a map to report on the number of outages remaining in our area, and to demonstrate progress toward our goal of zero outages.**

As of 9 a.m. March 3, 2021 of the 523 properties that reported issues related to the Winter Storm:

- 120 properties require validation;
- 60 properties are still reporting plumbing issues; and
- 343 properties have water restored.

In partnership with multiple departments, including 311, HSEM, Austin Code, and Equity Office, AW has been following up on apartment complexes that have reported water outages. For a more detailed background of this effort, see Item #4 of this Executive Summary.

Residents are asked to continue to call 3-1-1 to report water outages, especially those outages which have not been restored by property managers/owners.

In order to track progress, AW published the [Multi-family Property Plumbing Problems map](#) which shows (primarily) multifamily properties that have reported plumbing problems, locations of bulk water tanks, and locations of public water stations. The map is updated daily at 9 a.m. and 9 p.m.

- 12. Austin Water (AW) is coordinating immediate water resources targeted to those areas identified as having prolonged water outages, focusing on places where those with least access to other options live. These water resources account not only for drinking water, but also for the water needed for cooking, cleaning, sanitation, etc.**

AW staff began reaching out to apartment communities on February 23, 2021, after it became clear that some residents remained without water following the restoration of our public utility systems. AW is taking a five-pronged approach toward providing potable and non-potable water to apartment complexes that continue to lack running water due to private plumbing problems:

- Forty-four (44) potable public water stations have been installed at or near apartment complexes, with more in progress.
- One (1) potable bulk water filling station (5,500 gallons) has been stationed at the Austin Community College (ACC) Northridge Campus, in proximity to apartment complexes.
- Two (2) potable bulk water trucks (6,000 gallons) have begun visiting apartment complexes on a planned route.
- Sixty (60) totes (portable tanks) of non-potable water (275 gallons each) are available for delivery to apartment complexes and can be refilled regularly.
- Additional apartments will be provided non-potable water in partnership with Austin Needs Water.

Additionally, the Equity Office and Resilience Officer are working with the Watershed Protection Department (WPD) and Sustainability Office to establish and employ equity and resilience criteria that can be used to identify and prioritize most vulnerable geographies and assets for response to prolonged water outages. The team is also working with community groups to assess needs and distribute resources.

13. Austin Code is leading a coordinated City effort to ensure that low- and moderate-income homeowners have the support they need, that landlords diligently get running water at their properties, and that tenants know their legal rights and options. This effort includes promoting resources to support tenants.

Austin Code continues to respond to service requests related to the Winter Storm. For service requests related to homeowner-occupied properties, Austin Code will provide information from DSD Emergency Permitting Process. For service requests related to tenant-occupied properties, Austin Code will continue to provide information on permitting repairs and follow up with the landlord on the status of repairs. For tenant legal rights information, Austin Code refers the tenants to Texas Rio Grande Legal Aid, Austin Tenants Council and BASTA.

Additionally, the Housing and Planning Department (HPD) prioritized tenant stabilization services. Please see Item #4 of this Executive Summary for more information.

Mobility Impacts and Response

Although not specifically referenced in the Council Resolution, the City's Mobility Strategic Outcome departments played a key role in the COA's response to the Winter Storm.

In anticipation of the storms, the Public Works, Fleet Mobility Services, Austin Transportation and Aviation Departments began coordinating internally and with partner agencies to mitigate as much of the impact as possible on Austin's mobility systems. Austin and the surrounding communities do not keep large quantities of snow and ice management equipment and supplies, given the rarity of this type of weather. Most recent occurrences of snow and ice have melted from roadways within 24-48 hours, with no lasting impacts to the mobility network. The Winter Storm, however, was not a typical weather event for this area, and the impacts to Austin's mobility systems were profound and lasting.

In addition to pretreating bridges and elevated structures, Public Works and Fleet Mobility Service staff worked around the clock during the Winter Storm to re-treat areas, distribute fuel to crews working in the field, clear roadways for emergency response, and distribute messaging urging people to stay home and off the roadways. Aviation suspended operations at the Austin-Bergstrom International Airport (ABIA) for two (2) days and cared for passengers stranded at ABIA until operations resumed. Mobility Strategic Outcome departments also supported our community by providing generators and fuel to critical facilities such as senior living complexes, transporting supplies and personnel to critical facilities such as hospitals and water treatment plants, and escorting Capital Metro buses as they provided critical transport to warming shelters.

Throughout the week of the Winter Storm and during breaks in weather conditions, the Mobility Strategic Outcome departments pivoted to recovery and repair. Public Works cleared 190 miles of primary roadways (about the distance from Austin to Dallas) so that residents could more safely access services. Austin Transportation restored full operation to 80 percent of traffic signals by Friday, and 100 percent by Saturday. Fleet, Transportation and Public Works supported the distribution of critical supplies such as food, water, fuel, and parts/repairs for response operations. Once the runways were reopened at ABIA, service was provided to more than 10,000 passengers in one day, while also managing significant plumbing issues throughout the campus from ice damage.

There continues to be impacts on the transportation network itself. The most obvious is the increase in potholes and utility cuts due to water main breaks. When communities experience extreme winter weather, the clearing of roadways and the ice itself causes damage to the road surface. Public Works anticipates an influx of pothole service requests and has mobilized a team to respond to the higher-than-normal service needs. Additionally, AW completed many water main break repairs in the public right-of-way and provided temporary fill material until permanent roadway repairs can be made. This temporary fill material is more likely to shift than permanent repairs, and Public Works is working to support AW with permanent roadway repairs as quickly as possible. Residents are urged to call Austin 3-1-1 to report issues within the public right-of-way (such as potholes or damaged signs) and to be cautious as the City continues repairs to the roadways.

The following item has a due date of September 1, 2020 and will be responded to by that date.

14. Homeland Security and Emergency Management will consolidate recommendations for formalizing and improving the City's and the community's notification and disaster response systems for vulnerable seniors living in the community and for persons with disabilities, including systems for welfare checks, in consultation with the City of Austin Age Friendly Program Coordinator, the Commission on Seniors, and the Mayors Committee for People with Disabilities.

The following item is prospective in nature and will be addressed within the After-Action Report.

15. Homeland Security and Emergency Management will implement a plan for a formal review of the disaster and the response with the goal of avoiding future disasters to the extent possible and making improvements to the response efforts, including but not limited to:
 - a. Improved public communications from Austin Water, such as timelier warning notifications; more localized, real-time outage information; estimates of when water service will be restored; and options for communicating with multifamily and master-metered residents, including without limitation consideration of the reverse-911 system.
 - b. A review of first responder response to the disaster, including a review of how staffing levels were maintained and a comparison to other municipal equivalent responses in Texas to include staff-on-duty ratio to population throughout and overtime expenses.
 - c. A plan and recommendation on how to best encourage Austinites to be aware of simple and cost-effective ways to become better prepared for weather crises.
 - d. A review of city mental health supports to determine how to best reposition and deploy such resources in a crisis, conducting a survey of available resources at non-profits, private facilities and churches throughout the City to compile information for dissemination; and
 - e. A comparison with other Texas municipal equivalents to Austin Energy and Austin Water, and their associated communication efforts and expenses during the disaster with the goal of avoiding future disasters to the extent possible and making improvements to the response efforts.

Specifically, in response to Item 3(b), HSEM is working with the three public safety departments to review first responder response to the disaster, including a review of how staffing levels were maintained and a comparison to other municipal equivalent responses in Texas. This review will include staff-on-duty ratio to population throughout and overtime expenses.

Additionally, in response to Item 3(c), HSEM offers a program and [website](#) focused on educating our community and getting them more prepared for disasters including public information and presentations done by City staff. There is an emergency preparedness mobile application (mobile app)

called [Ready Central Texas](#) that is available that has news updates and warnings, preparedness resources, emergency plan checklists, informational videos, preparedness document library, and COVID-19 resources from Austin, the State of Texas and the federal government. The mobile app is available on Android and iOS devices and is free to download and use.